

# EXHIBIT A

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**From:** Stevens, Ryan C.  
**Sent:** Sunday, November 10, 2024 2:13 PM  
**To:** Lum, Christina  
**Subject:** RE: City of SF v. City of Oakland, Port of Oakland

Hi Christina,

Thanks for taking the time to speak with me on Friday about San Francisco's request that the City of Oakland ("Oakland") agree to a continuance of the summary judgment deadlines – even a short one – pending the Court's decision on San Francisco's preliminary injunction motion and given that Oakland presented identical arguments to Magistrate Judge Hixson via its opposition to the preliminary injunction motion. As I explained, the parties would benefit from the Court's ruling on the preliminary injunction, both on the merits and on its view of Oakland's "improper party" argument, and we do not believe the parties should unnecessarily burden the Court and the parties while an identical issue is briefed and pending before the Court. As you are aware, Oakland's summary judgment motion and supporting papers are almost identical in form and substance to what is currently pending before the court. Given the prospect that this issue may be mooted by the Court's order, it is not efficient for the parties to engage in additional and duplicative briefing on this issue before the Court's order. Separately, Oakland's summary judgment motion is premature as the parties have not engaged in any discovery. Under Rule 56 and governing case law, San Francisco is entitled to discovery before the Court considers Oakland's pre-discovery summary judgment motion.

Alternatively, we asked for Oakland's stipulation to a brief extension of San Francisco's deadline to file its opposition to the summary judgment motion. Although the local rules and practice strongly indicate that parties should agree to extend such deadlines as a matter of professional courtesy, especially in the instant circumstances, you declined to provide that extension.

Given the Oakland's refusal to stipulate to a continuance or extension, San Francisco will file an administrative motion to continue the MSJ hearing and related deadlines or in the alternative, to extend San Francisco's opposition deadline by three (3) weeks. Our motion will explain Oakland's unreasonable refusal on both of these issues.

Please let me know by noon PST on Monday (Nov. 11) if the City of Oakland is willing to reconsider its position on either, and we will prepare a stipulation. Otherwise, we will file our motion.

Regards,  
Ryan

**Ryan Stevens**

Cooley LLP  
+1 415 693 2483 office  
+1 916 599 1133 mobile

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**From:** Lum, Christina <CLum@oaklandcityattorney.org>  
**Sent:** Friday, November 8, 2024 11:48 AM  
**To:** Stevens, Ryan C. <rstevens@cooley.com>  
**Subject:** RE: City of SF v. City of Oakland, Port of Oakland

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Hi Ryan,

Thank you for the email. I was directed to get the MSJ done and heard as soon as possible, but I'm open to discussing with you what you anticipate will happen. In what situation do you think the PI ruling would lead SF to dismiss the City of Oakland?

Feel free to call, I am around most of today.



**Christina Lum, Senior Deputy City Attorney**  
Office of Oakland City Attorney Barbara J. Parker  
One Frank Ogawa Plaza, Sixth Floor  
Oakland, CA 94612  
Phone: (510) 238-4483  
Fax: (510) 238-6500  
Email: [clum@oaklandcityattorney.org](mailto:clum@oaklandcityattorney.org)  
Website: [www.oaklandcityattorney.org](http://www.oaklandcityattorney.org)

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**From:** Stevens, Ryan C. <[rstevens@cooley.com](mailto:rstevens@cooley.com)>  
**Sent:** Friday, November 8, 2024 11:30 AM  
**To:** Lum, Christina <[CLum@oaklandcityattorney.org](mailto:CLum@oaklandcityattorney.org)>  
**Subject:** City of SF v. City of Oakland, Port of Oakland

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Hi Christina-

I'm sorry I didn't get a chance to introduce myself at the hearing yesterday, but I'm one of the lawyers representing San Francisco in the SFO OAK case. As you know, our opposition to the MSJ the City of Oakland filed is due next week. We intend to oppose and raise the arguments we made in our reply to your opposition to the PI and make arguments about the timing of the motion given the lack of discovery to date. I continue, however, to think there is a chance this issue could work itself out once we receive a ruling on the PI motion. Or that a ruling on the PI motion could open a door that leads to the Oakland being dismissed a defendant. Would you be amenable to a stipulation to continue the hearing on Oakland's MSJ and San Francisco's deadline to file an opposition, so that we can see where things stand after the court issues a PI order?

My understanding is that Judge Hixon is usually quick to issue orders (1-2 weeks on average), so I think even just pushing the hearing date forward one month would be sufficient to receive an order and determine whether there is a resolution here that doesn't require motion practice.

Given the upcoming deadline I would really appreciate if you could get back to me quickly on this issue. I'm happy to have a call to discuss and can be reached at either number below my signature block.

Thanks very much,  
Ryan

**Ryan Stevens**

Cooley LLP  
+1 415 693 2483 office  
+1 916 599 1133 mobile

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